



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

H.D.

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,006	12/14/2001	James Sheung Lau	CA920000072-US1	7929

7590

11/28/2006

Anne Vachon Dougherty
3173 Cedar Road
Yorktown Heights, NY 10598

EXAMINER

PATEL, AJIT

ART UNIT	PAPER NUMBER
----------	--------------

2616

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/017,006

Applicant(s)

LAU, JAMES SHEUNG

Examiner

AJIT G. PATEL

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 6-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2616

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,6-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyle et al in view of Dragosh et al (newly cited, US 2005/0131704).

Regarding claims 1,16, Boyle et al disclose pushing and pulling data in network comprising a web server component for storing data and for generating internet messages (it is inherent that the server has memory; lines 25-29, col. 3); and a wireless communications interface operable to convey internet messages to and from the web server using a wireless digital packet network (in fig. 1, the devices 120 connected directly to the internet without the gateway see lines 36-44 through the wireless network 125 which is CDPD and therefore, the wireless interface must be on the internet side to communicate with the device 120 wirelessly using the wireless digital packet network). However, Boyle et al disclose web server 130 of fig. 1). However, Boyle et al fail to disclose that the Web server is a wireless web server. Dragosh et al disclose a communication system comprises a wireless web server (last 3 line of para. 0006). Therefore, it would have been obvious to one skilled in the art to use wireless web as taught by Dragosh et al in the system of Boyle et al so that the wireless device can get access wireless to the wireless web server.

Regarding claim 6, Boyle et al disclose the limitation "the communication interface is operable to transmit and receive the internet messages on a cellular digital packet network" (col. 3, lines 27-39).

Regarding claims 7,8, Boyle et al disclose the limitation " the communications interface is operable to receive Transmission and control Protocol (TCP/IP) messages from the web server for transmission on the wireless digital packet network" and "the communication interface is operable to transmit the internet messages according to the TCP/IP protocol to web server" (col. 3, lines 25-29, 125 of fig. 1).

Regarding claim 9, Boyle et al disclose the limitation "the communications interface comprises a wireless transceiver for transmitting and sending the internet messages on the wireless digital packet network" (line 25-29, col. 3).

Regarding claim 10, Boyle et al disclose the limitation "the web server is operable to receive and store data to be served" (it is inherent that the server has the memory for storing data).

Regarding claim 11, Boyle et al disclose the limitation "an input interface operable to receive a signal from a sensor and produce a data representation of the signal, for storage as data to be served by the web server" (122 of fig. 1). Boyles et al fail to disclose the web server is a wireless web server. Replacing web server with wireless web server would have been obvious to one skilled in the art as taught by Dragosh et al so that the wireless device can get access wireless to the wireless web server.

Regarding claim 12, Boyle et al incorporating the steps of receiving at the web server a data request message from a wireless digital packet network (see requesting in fig. 31); b) requesting data from a web server component in response to said data request message (see service reply in fig. 31); and c) transmitting on said wireless digital packet network a response message including data produced by said wireless web server in response to said data request message (see service reply in fig. 31). Boyle et al fail to disclose that the web server is a wireless web server. Dragosh et al disclose a communication system comprises a wireless web server (last 3 line of para. 0006). Therefore, it would have been obvious to one skilled in the art to use wireless web as taught by Dragosh et al in the system of Boyle et al so that the wireless device can get access wireless to the wireless web server.

Regarding claim 13, Boyle et al disclose the step of extracting a extracting a Transmission and Control Protocol (TCP/IP) message from a wireless digital packet network protocol message (lines 27-39, col. 3).

Regarding claim 14, Boyle et al disclose the step of transmitting said TCP/IP message to said web server (col. 3, line 27-39). Boyles et al fail to disclose the web server is a wireless server. Replacing web server with wireless web server would have been obvious to one skilled in the art as taught by Dragosh et al so that the wireless device can get access wireless to the wireless web server.

Regarding claim 15, Boyle et al incorporating the step of inserting a Transmission and Control Protocol/Internet Protocol (TCP/IP) message from said web server into a wireless digital packet network protocol message for transmission on said wireless

Art Unit: 2616

digital packet network (lines 27-39, col. 3; 126 of fig. 1). Boyles et al fail to disclose the web server is a wireless web server. Replacing web server with wireless web server would have been obvious to one skilled in the art as taught by Dragosh et al so that the wireless device can get access wireless to the wireless web server.

Regarding claim 17, Boyle et al disclose the step of transmitting said message comprises producing a wireless digital packet network message containing a Transmission and Control Protocol/Internet Protocol (TCP/IP) message (col. 3, lines 27-39).

Regarding claim 18, Boyle et al disclose the step of receiving, from said wireless digital packet network, a message produced by said web server (125 of fig. 5). Boyles et al fail to disclose the web server is a wireless web server. Replacing web server with wireless web server would have been obvious to one skilled in the art as taught by Dragosh et al so that the wireless device can get access wireless to the wireless web server.

3. Applicant's arguments with respect to claims 1, 6-18 have been considered but are moot in view of the new ground(s) of rejection.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AJIT G. PATEL whose telephone number is 571-272-3140. The examiner can normally be reached on MONDAY-SATURDAY.

Art Unit: 2616

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin can be reached on 571-272-3134. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AP


Ajit Patel
Primary Examiner